



Appeal Decision

Site visit made on 14 February 2023

by M. P. Howell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 March 2023

Appeal Ref: APP/V3120/W/22/3306373

157 Eynsham Road, Botley, Oxford OX2 9NE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Whickhams against the decision of Vale of White Horse District Council.
 - The application Ref P21/V2665/FUL, dated 5 August 2021, was refused by notice dated 9 March 2022.
 - The development proposed is a second floor/roof extension.
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Decision

1. The appeal is allowed, and planning permission is granted for second floor/roof extension at 157 Eynsham Road, Botley, Oxford OX2 9NE in accordance with the terms of the application, Ref P21/V2665/FUL, dated 5 August 2021, subject to the conditions in the attached schedule.

Preliminary Matters

2. Notwithstanding the description of development set out above, which is taken from the application form, it is clear from the plans and accompanying details that the development comprises the roof extension and the provision of three additional flats. The Council dealt with the proposal on this basis and so shall I.

Main Issue

3. The effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal site is within a predominantly residential area characterised by single and two storey detached dwellings with a varied scale, height, and design. Along Eynsham Road (B4044) the roof designs are a mix of hipped and pitched roof designs, but with a varied styles, heights, and finishes. Accommodation in the roof, including dormers, appeared to be a typical characteristic of the area.
5. 157 Eynsham Road is a contemporary flat roof building located on the western side of A420 underpass. No 157 and the two adjoining properties are more divorced and set back from the main Eynsham Road, fronting a slip road of the same name. Within the immediate vicinity, the two nearest properties are two storey detached properties with hipped roofs within spacious plots. A caravan site and some cottage style properties are also within proximity of the site accessed off Nobles Lane. These properties are single storey buildings, some with accommodation in the roof.

6. Policy DCBC1 of the Cumnor Parish Neighbourhood Plan 2021 (NP) indicates that development proposals should have regard to the Vale of White Horse Design Guide and to the essential character of their local area as defined by the Cumnor Parish Character Assessment (CA). Development proposals should also consider some design principles, which amongst other things, includes the maintenance of the common one and two-storey character in the area.
7. The proposal would have a hipped roof, with several flat dormers providing accommodation in the roof. Despite being taller and including dormers, the hipped roofed design would be largely consistent with the nearest neighbours. In addition, the difference in height would not be significant, and the spacing in between would ensure the height difference would not be noticeable in this context. Although it would have a central flat roof area, this would not be a prominent feature and it would help to form a gentler pitch, reducing the overall scale, mass, and height of the roof extension. For these reasons, the proposed development would appear as a two-storey development with accommodation in the roof, which would be typical of the character in the area.
8. I have had regard to the CA, and particularly the Dean Court Character Assessment section when making my decision. During my site visit I was able to view the examples indicated in the CA as being damaging to the character of the area. Although I accept there are some similarities, there are also notable differences between the examples and the proposal before me. For instance, 93 Eynsham Road is a three storey building and 19 Eynsham Road includes a considerable extension to the side elevation wall. Both are also more prominent along Eynsham Road, resulting in a different impact on the character and appearance of the area. As such, the examples are not directly comparable to the scheme before me, and I have judged the proposed scheme on its own merits.
9. Accordingly, the proposed development would have an acceptable impact on the character and appearance of the area, complying with the requirements of Policy CP37 of the Vale of White Horse Strategic Sites and Policies Local Plan Part 1 2016 and Policy DBC1 of the NP as well as the Vale of White Horse Design Guide and the Cumnor Parish Character Assessment. These policies, and guidance, seek development that responds positively to its site and surroundings, reinforcing local identity and maintaining the common one and two storeys character.

Other Matters

10. The Council does not object to the principle of the additional flattened accommodation in this Green Belt location. Furthermore, no concerns are raised on highway safety or neighbouring impacts. Whilst I have had full regard to local representations, I do not disagree with the Council's conclusions on these matters. The roof extension would be a proportionate extension to the existing building, and any issues associated with traffic generation, highway safety and the living conditions of nearby residents would be acceptable, subject to appropriate planning conditions, were planning permission to be granted.

Conditions

11. The Council has submitted suggested conditions, were I minded to allow the appeal. I have considered these in the light of advice in the National Planning Practice Guidance (the PPG) and, in the interests of clarity and precision, amended some of the wording.

12. In addition to the statutory time limit, it is necessary in the interests of clarity, to define the approved plans for the scheme. Conditions ensuring the implementation of bin storage and parking provision to serve any future occupiers are necessary. Furthermore, although it is not indicated that any trees would be removed or effected by the development itself, a consultee has requested tree protection measures. As such, details of how the trees in and around the site will be protected during construction is reasonable and necessary.

Conclusion

13. For the reasons given above and taking into account the development plan as a whole and all other relevant material considerations, I conclude that the appeal should be allowed.

M. P. Howell

INSPECTOR

Schedule of Conditions

- 1) The development shall begin no later than three years from the date of this decision.
- 2) The development shall be carried out in accordance with the following approved plans: Drawing numbers GAL 314 (PC) 101 A, GAL 314 (PC) 102 A GAL 314 (PC) 103 A.
- 3) Prior to their installation on site, details of all external facing materials shall be submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be carried out in accordance with the approved details.
- 4) The flats hereby permitted shall not be occupied until the parking provision has been laid out in accordance with drawing reference GAL 314 (PC) 101 A. Thereafter, the parking and turning areas shall be kept clear of obstruction and shall not be used for any purpose other than the parking and turning of vehicles in connection with the flats hereby permitted.
- 5) Prior to the commencement of any site works, details of how all existing trees to be retained on site will be protected throughout the construction period shall be submitted to and approved by the local planning authority. The scheme to protect the trees shall be in accordance with the current edition of BS 5837: "Trees in relation to design, demolition and construction". The agreed measures shall be kept in place during the entire course of development.
- 6) Prior to the occupation of the flats hereby permitted, details of bin storage for the approved development shall be submitted to and approved by the Local Planning Authority. The bin storage shall be retained thereafter to serve the approved development.